



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460-0001

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Texas Department of Agriculture
P.O. Box 12847
Austin Texas, 78711

DATE: OCTOBER 21, 2009
EXPIRATION DATE: OCTOBER 21, 2012
ANNUAL REPORTS DUE: OCTOBER 21, 2010
OCTOBER 21, 2011
FINAL REPORT DUE: APRIL 21, 2013
FILE SYMBOL: 08TX14

Attn: Ed Gage

The Environmental Protection Agency hereby issues a quarantine exemption under the provisions of section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, to the Texas Department of Agriculture for expanded use of fipronil, formulated as Termidor® SC Termiticide/Insecticide, for control of an invasive crazy ant species (*Paratrechina* spp. nr. *pubens/fulva*) commonly referred to as the Raspberry crazy ant, around the outside of structures, including areas where ants are found associated with utility wires (electrical, telephone, or cable) **in counties where the ant has been confirmed**. This exemption is subject to the conditions and restrictions outlined in your request, the use directions included with your request, as well as the following:

1. The Texas Department of Agriculture is responsible for ensuring that all provisions of this quarantine exemption are met. It is also responsible for providing information in accordance with 40 Code of Federal Regulations (CFR) §166.32 (b). This information must be submitted to EPA headquarters and the EPA regional office within six months of the expiration date of this exemption, and in annual reports for the duration of the exemption. In accordance with 40 CFR §166.32(a) these offices shall also be immediately informed of any adverse effects resulting from the use of this pesticide in connection with this exemption.
2. The product, Termidor® SC Termiticide/Insecticide, EPA Reg. No. 7969-210, manufactured by BASF Corporation, may be applied. All applicable **First Aid, Precautionary Statements, Environmental Hazards, Directions for Use, and Use Restrictions**, found on the Federally-registered container label must be followed. In addition, all directions, restrictions, and precautions on the section 18 supplemental use directions for your state, as amended and submitted on August 17, 2009, must be followed **except as noted below**.
3. Please revise the Section 18 Use Directions submitted on August 17, 2009, to indicate the use is under a **quarantine** exemption, and specify the correct expiration date and EPA File Symbol (08-TX-14).

4. Both the container label and the Section 18 Use Directions must be in the possession of the user at the time of application.
5. Termidor® SC Termiticide/Insecticide shall be applied only by certified pest control operators (PCOs) certified in a category applicable to the application of this product. Only protected applicators wearing personal protective equipment as required by this product's Federally-registered container label may be in the area during application.
6. Termidor SC® Termiticide/Insecticide may be applied as detailed on the present container label for perimeter pest control with the exception of the following:
 - a. Treatments may be made as a low-pressure general surface spray (coarse flat fan), crack and crevice spray or wall void application, where ants enter the structure, trail around the structure, or where they crawl and hide. For exterior perimeter treatments, apply 0.06% **Termidor SC** finished dilution to surfaces up to but not to exceed **3 ft. up and 10 ft. of sod out from the foundation**. Mounds or nests can be treated directly.
 - b. Treatment may be made **up to 10 feet around** areas where ants are found associated with utility wires (electrical, telephone or cable). Foam treatments can be made to structural voids where ants may enter, trail or nest.
7. Treatments may be made 2 times per year per structure, at intervals of 180 days.
8. This exemption expires three (3) years from the date of issuance, as given above.
9. A final report summarizing the results of this program is due within 6 months of the expiration of this exemption, and annual reports must be submitted on a yearly basis, by the dates provided above. The reports should contain updated information about the current range of this species and progress related to efforts to identify integrated techniques for responding to infestations of the invasive crazy ant.



Debra Edwards, Ph.D., Director
Office of Pesticide Programs

Date: 10/21/09

cc: U.S. EPA Region 6
Johnie Dowell